

O I P E

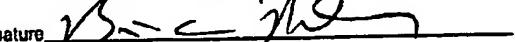
MAY 06 2005

PTO/SB/31 (04-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) RPS920020184US1				
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 5/4/05</p> <p>Signature </p> <p>Typed or printed name Brian C. Kunzler</p>		<p>In re Application of Martin Joseph Crippen et al.</p> <table border="1"> <tr> <td>Application Number 10/717,782</td> <td>Filed 11/20/2003</td> </tr> <tr> <td>Art Unit 3749</td> <td>Examiner Derek Bolcs</td> </tr> </table>	Application Number 10/717,782	Filed 11/20/2003	Art Unit 3749	Examiner Derek Bolcs
Application Number 10/717,782	Filed 11/20/2003					
Art Unit 3749	Examiner Derek Bolcs					

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00140 /
120

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0563**. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.138(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record. Registration number **38,527**
- attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____



Signature

Brian C. Kunzler
Typed or printed name

(801) 994-4164
Telephone number

5/4/05
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

- *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1/06/2005 RFEKADU1 00000019 10717782

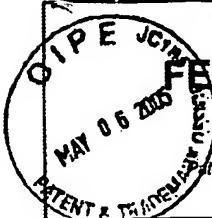
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PTO/SB/06 (12/97)
Approved for use through 9/30/03. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



FEE TRANSMITTAL

Note: Effective December 8, 2004.
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$ 120

Complete if Known	
Application Number	10/717,782
Filing Date	November 20, 2003
First Named Inventor	Martin J. Crippen
Group Art Unit	3749
Examiner Name	Derek Boles
Attorney Docket Number	RPS920020184US1

METHOD OF PAYMENT (check one)	
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:	
Deposit Account No.: _____	
Deposit Account Name: _____	
<input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance	
2. <input checked="" type="checkbox"/> Payment Enclosed:	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	

FEE CALCULATION

1. FILING FEE

Large Entity			
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1011	300	2011	150 Utility Filing Fee
1111	500	2111	250 Utility Search Fee
1311	200	2311	100 Utility Examination Fee
1081	250	2081	125 Utility over 100 sheet fee per additional 50
1085	250	2085	125 Provisional over 100 sheet fee per add. 50
1005	200	2005	100 Provisional filing fee
SUBTOTAL (1)			\$ 0

2. CLAIMS

Total Claims	-20 =	Extra	Fee from below	Fee Paid
		0	x 25	=
Ind. Claims	-3 =	0	x 100	=
Multiple Dep. Claims		0	x 180	= 0

Large Entity		
Fee Code (\$)	Fee Code (\$)	Fee Description
1202	50	2202 25 Claims in excess of 20
1201	200	2201 100 Independent claims in excess of 3
1203	360	2203 180 Multiple dependent claim
1204	200	2204 100 Reissue independent claims over original patent
1205	50	2205 25 Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		0

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2520	1812 2520 For filing a request for reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1840*	1805 1840* Requesting publication of SIR after Examiner action	
1251	120	2251 60 Extension for reply within first month	120
1252	450	2252 225 Extension for reply within second month	
1253	1020	2253 510 Extension for reply within third month	
1254	1590	2254 795 Extension for reply within fourth month	
1255	2160	2255 1080 Extension for reply within fifth month	
1401	500	2401 250 Notice of Appeal	
1402	500	2402 250 Filing a brief in support of an appeal	
1403	1000	2403 500 Request for oral hearing	
1451	1510	1451 1510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive -unavoidably	
1453	1370	2453 685 Petition to revive - unintentional	
1460	130	1460 130 Petitions to the Commissioner	
1501	1400	2501 700 Utility issue fee	
1502	800	2502 400 Design issue fee	
1503	1100	2503 550 Plant issue fee	
8007	20	8007 20 Copy of Patent Application as filed	
1807	50	1807 50 Petitions related to provisional applications	
1808	180	1808 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1801	790	2801 395 Request for continued examination (RCE) (37 CFR 1.114)	
1810	790	2810 395 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810 395 For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

*Reduced by Basic Filing Fee **SUBTOTAL (3)** \$ 120

SUBMITTED BY

Typed or Printed Name	Brian C. Kunzler	Reg. Number	38,527
Signature		Date	May 4, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington.